

**Probation Committee
Judicial Conference of Indiana**

**Minutes
July 14, 2006**

The Probation Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center in Indianapolis, Indiana on July 14, 2006.

1. **Members present.** The following members of the Probation Committee were present: Douglas R. Bridges, Rosemary Higgins-Burke, David Chidester, G. Thomas Gray, Thomas Lett, Rebecca McClure, Robert Mrzlack, and Mark Stoner, chair.
2. **Staff present.** Jane Seigel, Jenny Bauer and Michelle Goodman provided staff assistance to the Committee.
3. **Approval of minutes.** The minutes from April 28, 2006 were approved.
4. **Report from June Board of Directors meeting.** Judge Stoner reported that he attended the June 2006 meeting of the Judicial Conference Board of Directors to get the Board's input on continuing education for probation officers and revocation of probation officer certification. Judge Stoner reported to the Board that one probation department had not submitted its Continuing Education Compliance Report, and that three probation officers had not complied with the requirement for 12 hours of continuing education in 2005. The Board directed Judge Stoner to contact the judges who supervise the probation officers and department at issue and discuss bringing them into compliance within 30 days. Judge Stoner told the committee that he has been in contact with each of the judges and expects all to come into compliance as requested. Judge Stoner also presented to the Board regarding the Probation Committee's proposed policy for revoking a probation officer's certification for falsifying information in the application process. He explained that the Board discussed the issue at length, focusing on whether the issue should be dealt with as a local employment issue and whether the policy should be expanded to include revocation for misconduct. The Board requested that the Probation Committee study the issue further and report back at the Board's meeting in September. The committee discussed local employment issue versus state authority to certify probation officers and expanding the revocation to include other misconduct. The Committee members did not favor "micromanaging" probation departments from the state level. A motion was made and seconded to keep the original proposal (penalty up to revocation for falsifying or misrepresenting information on application for probation officer exam or supporting materials) and add failure to comply with the continuing education standard as the basis for revocation of probation officer certification. The motion passed 7-1.
5. **Probation conditions for sex offenders.** Jenny Bauer reported that several new laws enacted during the 2006 legislative session affect the Recommended Special Probation Conditions for Adult Sex Offenders. She outlined the additions and

changes that need to be made to the Special Conditions. The committee discussed the proposed changes and asked Ms. Bauer to re-draft conditions #2 and #4. The chair also asked Ms. Bauer to send the revision to the committee members by e-mail.

6. **Risk Assessment project update.** Michelle Goodman reported that the new Risk Assessment Task Force met with the NIC consultants in May to determine criteria for selecting a new instrument. The Task Force also met in June to draft a charter and communication plan. The next meeting of the Task Force is scheduled for August, when vendors will present information on risk assessment instruments (LSI-R family, COMPAS, Risk Protective Factors).
7. **Regional Meetings for Probation Officers.** Jenny Bauer reported that the 2006 Regional Meetings for probation officers are scheduled for November 1 in Valparaiso; November 2 in Ft. Wayne; November 15 in Anderson; November 16 in Columbus; and November 17 in Jasper. The tentative topics for the regional meetings are an introduction to evidence-based practices and an update on new sex offender laws.
8. **Intrastate Transfers.** Judge Stoner reported that Judge Felts was unable to attend the meeting but had sent the revised intrastate transfer forms for review by the committee. The committee discussed the forms and amended the "request form" to add whether the probation term is concurrent/consecutive and to add a line for home detention. The forms were approved with the amendments to the request form. The committee agreed to table the proposed policy and discuss it at the next meeting.
9. **Administrative fees.** The Committee continued its discussion of probation administrative fees. Judge Gray stated that he discussed the issue of increased fees with Senator Bray and Representative Foley. Both were supportive of the idea and suggested taking the issue to a legislative study commission. Judge Stoner suggested having an actuary look at numbers to determine how much money is needed to cover salaries. Judge Stoner asked Judicial Center staff to look at what probation departments report to State Court Administration and get salary information by October 1st. The Committee also discussed the idea of having the probation subsidy funded again to help with probation officer salaries and whether fees can ever be raised high enough to cover salaries. The committee members agreed to talk to their chief probation officers and revenue officers before the next meeting.
10. **Next meeting.** The next meeting of the Probation Committee is scheduled for October 27, 2006.

Respectfully submitted,

Jenny Bauer
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Indiana Judicial Center